

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TREBCO SPECIALTY PRODUCTS INC.,)

Plaintiff,)

v.)

THE INDIVIDUALS, CORPORATIONS, LIMITED)
LIABILITY COMPANIES, PARTNERSHIPS, AND)
UNINCORPORATED ASSOCIATIONS)
IDENTIFIED ON SCHEDULE A TO THE)
COMPLAINT,)

Defendants.)

Case No.: 22 Civ. 655

The application is x granted
 denied


Edgardo Ramos, U.S.D.J

Dated: 1/26/2022

New York, New York

PLAINTIFF'S MOTION TO SEAL

Plaintiff TREBCO SPECIALTY PRODUCTS INC respectfully submits this application to file under seal the following documents associated with the above referenced action until the hearing on Plaintiff's Application for an Order to Show Cause Why a Preliminary Injunction Should Not Issue or further order of the Court:

- (1) Schedule A attached to Plaintiff's Complaint, which identifies and includes a list of Defendants' usernames for their online marketplace accounts (as described in the Complaint) and the website address for the Defendants' online marketplace accounts (the "Defendant Internet Stores"), and
- (2) screenshot printouts showing the active Defendant Internet Stores (Exhibit 2 to the Declaration of Carla Schneider ("Schneider Decl."), filed contemporaneously herewith).

Plaintiff has filed its public-record version of the documents redacted and concurrently herewith have provisionally filed the documents electronically under seal.

In this action, Plaintiff is requesting this *ex parte* relief based on claims of copyright infringement. Sealing this portion of the file is necessary to prevent the Defendants from learning of these proceedings prior to the execution of a temporary restraining order (“TRO”). As set for in greater detail in the Complaint and in the Schneider Decl., both of which are incorporated herein by reference for the sake of brevity, if Defendants were to learn of these proceedings prematurely, the likely result would be the destruction of relevant documentary evidence and the hiding or transferring of assets to foreign jurisdictions, which would frustrate the purpose of the underlying lawsuit and would interfere with this Court’s power to grant relief. Once the TRO has been served on the relevant third-parties and the requested actions are taken, Plaintiff will move to unseal this document. Sealing such documents is consistent with the treatment of such materials in cases like this one that have previously been before the court.

Accordingly, Plaintiff respectfully requests that the Court grant Plaintiff leave to file its Schedule A attached to the Complaint and Exhibit 2 to the Schneider Decl. under seal.

Dated: January 25, 2022

Respectfully submitted,

COLE SCHOTZ P.C.

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